

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

July 30, 1981  
3:00 P.M.

Council Chambers  
301 West Second Street

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The meeting was called to order with Mayor McClellan presiding. She noted that Mayor Pro Tem Trevino was at the Sister Cities meeting.

Roll Call:

Present: Mayor McClellan, Councilmembers Deuser, Duncan, Goodman, Mullen

Absent: Mayor Pro Tem Trevino, Councilmember Urdy

RESOLUTION TO HONOR WILLIAM DICK

Mayor McClellan read a resolution, signed by all Councilmembers, recognizing William Dick who worked as a volunteer with the Austin Tenant's Council for over five years until his recent death. His widow, Mrs. Dick, received the resolution with her thanks and appreciation.

INVOCATION

Mr. Jim Colley, South Side Church of Christ, gave the Invocation.

AQUA FEST

Mr. Bill Holford, Commodore, Austin Aqua Festival, presented a certificate to Mayor McClellan appointing her Vice-Commodore of the Aqua Fest, and presented Skipper pins to all Councilmembers.

Ayes: Councilmember Mullen, Mayor McClellan, Councilmembers  
Deuser, Duncan, Goodman  
Noes: None  
Absent: Councilmember Urdy, Mayor Pro Tem Trevino

Councilmember Mullen moved that the Council adopt a resolution approving the following contract:

MCCULLOUGH & ASSOCIATES  
12703A Research Boulevard  
Austin, Texas

- CAPITAL IMPROVEMENTS PROGRAM -  
Southwest Austin Water Transmission  
Main Phase B-2 - \$843,632.64  
C.I.P. No. 73/22-24

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmember Mullen, Mayor McClellan, Councilmembers  
Deuser, Duncan, Goodman  
Noes: None  
Absent: Councilmember Urdy, Mayor Pro Tem Trevino

Councilmember Mullen moved that the Council adopt a resolution approving the following contract:

JOHN R. HUGHES CONSTRUCTION  
COMPANY  
Drawer 3400  
Austin, Texas

- CAPITAL IMPROVEMENTS PROGRAM -  
Williamson Creek Wastewater Interceptor  
Phase I - \$902,593.00  
C.I.P. No. 73/23-04

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmember Mullen, Mayor McClellan, Councilmembers  
Deuser, Duncan, Goodman  
Noes: None  
Absent: Councilmember Urdy, Mayor Pro Tem Trevino

#### CAPITAL IMPROVEMENTS PROGRAM

Councilmember Mullen moved that the Council adopt a resolution approving a Change Order in the amount of \$132,892.52 to Temple Associates, Inc., in connection with the 1981 Interim Terminal Improvements at the Robert Mueller Municipal Airport. C.I.P. No. 79/81-08. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmember Mullen, Mayor McClellan, Councilmembers  
Deuser, Duncan, Goodman  
Noes: None  
Absent: Councilmember Urdy, Mayor Pro Tem Trevino

**BOARD AND COMMISSION APPOINTMENTS**

Mayor McClellan announced the following Board and Commission appointments have been announced for appointment:

Building Code Board of Appeals - 2  
Electric Utility Commission - 5  
Ethics Review Commission - 1  
Hospital Board - 4  
Renewable Energy Resources Commission - 3  
Citizen's Traffic Safety Commission - 1  
Construction Advisory Committee - 1  
Building Standards Commission - 1  
On-Going of Goals Assembly Committee - 1 plus alternates  
Parks and Recreation Board - 1  
Vending Commission - 2  
Austin Community Education Consortium - 1  
Dental Health Advisory Committee - 1  
Elisabet Ney Museum Board of Directors - 1  
Planning Commission - 1  
Downtown Revitalization Committee - 4  
Plumbing Advisory Board - 1  
Community Development Commission - 1 to be chosen by Councilman Urdy  
Austin Cable Commission - 9

Mayor McClellan announced the following appointments will be made on September 3, 1981:

Hospital Board - 1  
Energy Conservation Commission - 1  
MH/MR Board of Trustees - 2  
Manpower Advisory Planning Council - 15  
Arts Commission - 1 Heritage and Folk Art

**APPROVAL OF MINUTES**

Councilmember Duncan moved that the Council approve the Minutes of the following meetings:

Special Meetings of May 20, May 22, May 25, May 29.  
Special Meetings of June 2, June 3 (5:30 p.m.), June 3 (7:00 p.m.),  
June 24, June 29, June 30, July 1, July 8 (3:00 p.m.), July 8  
(4:00 p.m.), April 7, July 23.  
Regular Meetings of July 9, and July 23, 1981.

The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmembers Goodman, Mullen, Mayor McClellan,  
Councilmembers Deuser, Duncan  
Noes: None  
Absent: Councilmember Urdy, Mayor Pro Tem Trevino

## LEASE AGREEMENT

Councilmember Mullen moved that the Council adopt a resolution approving renewal of a lease agreement for the Montopolis Branch Library. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmember Mullen, Mayor McClellan, Councilmembers  
Deuser, Duncan, Goodman

Noes: None

Absent: Councilmember Urdy, Mayor Pro Tem Trevino

## RELEASE OF EASEMENTS

Councilmember Mullen moved that the Council adopt a resolution authorizing release of the following easement:

A sanitary sewer easement as recorded in Volume 348, Pages 419 and 420 of the Travis County Deed Records and located on Oakmont Heights Subdivision, West 35th Street and Jackson Avenue. (Requested by Water and Wastewater Department of the City of Austin.)

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmember Mullen, Mayor McClellan, Councilmembers  
Deuser, Duncan, Goodman

Noes: None

Absent: Councilmember Urdy, Mayor Pro Tem Trevino

Councilmember Mullen moved that the Council adopt a resolution authorizing release of the following easement:

10.0 feet of a 30.00 foot water line easement recorded in Volume 6338, Page 1889 of the Travis County Deed Records and located on Walnut Crossing, Section 5 and 5A. (Requested by Bryant-Curington, Inc., representing the Bill Milburn Company, Inc.)

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmember Mullen, Mayor McClellan, Councilmembers  
Deuser, Duncan, Goodman

Noes: None

Absent: Councilmember Urdy, Mayor Pro Tem Trevino

## CONTRACTS APPROVED

Councilmember Mullen moved that the Council adopt a resolution approving the following contract:

INDUSTRALEASE CORPORATION  
3000 Marcus Avenue  
Lake Success, New York

- Leasing a Cooper Medical Devices  
Ultrascan for Radiology Department  
of Brackenridge Hospital  
Thirty-six (36) Month Lease  
Item 1 - \$785.00/mo.  
Total \$28,260.00

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmember Mullen, Mayor McClellan, Councilmembers  
Deuser, Duncan, Goodman  
Noes: None  
Absent: Councilmember Urdy, Mayor Pro Tem Trevino

Councilmember Mullen moved that the Council adopt a resolution approving the following contract:

TEXAS CEMENT COMPANY  
5100 Farm-To-Market 2770 South  
Buda, Texas

- Portland Cement, Purchases and  
Stores Department  
Twelve (12) Month Supply Agreement  
Item 1 - \$24,570.00

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmember Mullen, Mayor McClellan, Councilmembers  
Deuser, Duncan, Goodman  
Noes: None  
Absent: Councilmember Urdy, Mayor Pro Tem Trevino

Councilmember Mullen moved that the Council adopt a resolution approving the following contract:

ALEXANDER ASPHALT ADDITIVES  
3rd and Stockton Street  
Big Spring, Texas

- Latex Modifier, Public Works  
Department  
Twelve (12) Month Supply Agreement  
Item 1 - \$14,828.00

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmember Mullen, Mayor McClellan, Councilmembers  
Deuser, Duncan, Goodman  
Noes: None  
Absent: Councilmember Urdy, Mayor Pro Tem Trevino

Councilmember Mullen moved that the Council adopt a resolution approving the following contract:

AMERICAN PETROFINA COMPANY OF TEXAS Second and Scurry Streets Big Spring, Texas	- Cut-back Asphalt and Asphalt Cement Public Works Department Twelve (12) Month Supply Agreement Item 1 through 4 - \$33,652.50
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The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmember Mullen, Mayor McClellan, Councilmembers  
Deuser, Duncan, Goodman

Noes: None

Absent: Councilmember Urdy, Mayor Pro Tem Trevino

Councilmember Mullen moved that the Council adopt a resolution approving the following contract:

FARMER'S COPPER & INDUSTRIAL SUPPLY, INC. 202 37th Street Galveston, Texas	- Copper Bus Bar, Electric Utility Department Item 1 - \$17,946.50
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The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmember Mullen, Mayor McClellan, Councilmembers  
Deuser, Duncan, Goodman

Noes: None

Absent: Councilmember Urdy, Mayor Pro Tem Trevino

Councilmember Mullen moved that the Council adopt a resolution approving the following contract:

MAINTENANCE ENGINEERING CORPORATION 3711 Clinton Drive Houston, Texas	- Ion Exchange Resins, Electric Utility Department Items 1 thru 5 - \$38,782.20
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The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmember Mullen, Mayor McClellan, Councilmembers  
Deuser, Duncan, Goodman

Noes: None

Absent: Councilmember Urdy, Mayor Pro Tem Trevino

Councilmember Mullen moved that the Council adopt a resolution approving the following contract:

FRANK'S WASTE OIL SERVICE  
6709 Bluff Springs Road  
Austin, Texas

- Sale of used oil from all power plants, Electric Utility Department  
Approximately 35,000 gal. @ \$0.285/gal  
Total Estimated Revenue to City -  
\$9,975.00

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmember Mullen, Mayor McClellan, Councilmembers  
Deuser, Duncan, Goodman  
Noes: None  
Absent: Councilmember Urdy, Mayor Pro Tem Trevino

Councilmember Mullen moved that the Council adopt a resolution approving the following contract:

CONOCO, INC.  
5 Greenway Plaza  
Houston, Texas

- Turbine Oil, Electric Utility  
Department  
Item 1 - \$11,400.00

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmember Mullen, Mayor McClellan, Councilmembers  
Deuser, Duncan, Goodman  
Noes: None  
Absent: Councilmember Urdy, Mayor Pro Tem Trevino

Councilmember Mullen moved that the Council adopt a resolution approving the following contract:

CLAUDE WRIGHT & ASSOCIATES  
9018 Rutland Building E  
Houston, Texas

- CAPITAL IMPROVEMENTS PROGRAM -  
Pumper Truck for Northeast Fire  
#26 - \$113,812 C.I.P. No. 76/83-02

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmember Mullen, Mayor McClellan, Councilmembers  
Deuser, Duncan, Goodman  
Noes: None  
Absent: Councilmember Urdy, Mayor Pro Tem Trevino

Councilmember Mullen moved that the Council adopt a resolution approving the following contract:

ROBERT E. MCKEE, INC  
1918 Texas Avenue  
El Paso, Texas

- CAPITAL IMPROVEMENTS PROGRAM -  
Brackenridge Hospital Phase 3B -  
\$11,574,000 C.I.P. No. 78/84-09

The motion, seconded by Councilmember Goodman, carried by the following vote:

## ARCHITECTURAL SERVICES

Councilmember Mullen moved that the Council adopt a resolution selecting Kinney & Stone, Inc. for architectural services, and approving a contract in connection with Far South Austin Public Health Center. C.I.P. No. 76/91-05. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmember Mullen, Mayor McClellan, Councilmembers  
Deuser, Duncan, Goodman  
Noes: None  
Absent: Councilmember Urdy, Mayor Pro Tem Trevino

## TRAFFIC SIGNALS

Councilmember Mullen moved that the Council adopt a resolution entering into an Agreement with the State Department of Highways and Public Transportation to permit the City to assume operation and maintenance of traffic signals at U.S. 290 and Cameron Road. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmember Mullen, Mayor McClellan, Councilmembers  
Deuser, Duncan, Goodman  
Noes: None  
Absent: Councilmember Urdy, Mayor Pro Tem Trevino

## TEMPORARY STREET CLOSING

Councilmember Mullen moved that the Council adopt a resolution temporarily closing Pearl Street from the 2500 block to the 2600 block on September 4, 1981 from 2:00 p.m. to 7:00 p.m. as requested by Mr. Holtzman, representing the Sigma Phi Epsilon Fraternity. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmember Mullen, Mayor McClellan, Councilmembers  
Deuser, Duncan, Goodman  
Noes: None  
Absent: Councilmember Urdy, Mayor Pro Tem Trevino

## TRANSIT ROUTE

Councilmember Mullen moved that the Council adopt a resolution modifying the Montopolis transit route to provide service to the Govalle Shopping Center. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmember Mullen, Mayor McClellan, Councilmembers  
Deuser, Duncan, Goodman  
Noes: None  
Absent: Councilmember Urdy, Mayor Pro Tem Trevino

**RESTRICTIVE COVENANT**

Councilmember Mullen moved that the Council adopt a resolution authorizing execution of a Restrictive Covenant on behalf of the City in connection with Special Permit Case No. C14p-81-028. The motion, seconded by Councilmember Goodman, carried by the following vote:

**Ayes:** Councilmember Mullen, Mayor McClellan, Councilmembers  
Deuser, Duncan, Goodman  
**Noes:** None  
**Absent:** Councilmember Urdy, Mayor Pro Tem Trevino

**CETA**

Councilmember Mullen moved that the Council adopt a resolution authorizing submission of a modification to the Capital Area Manpower Consortium's FY 1981 Comprehensive Employment and Training Plan to reflect revised allocations for the CETA Title IV Youth Employment Training Program from \$872,126 to a new level of \$828,998. The motion, seconded by Councilmember Goodman, carried by the following vote:

**Ayes:** Councilmember Mullen, Mayor McClellan, Councilmembers  
Deuser, Duncan, Goodman  
**Noes:** None  
**Absent:** Councilmember Urdy, Mayor Pro Tem Trevino

**AIRPORT PROPOSAL**

Councilmember Mullen moved that the Council adopt a resolution authorizing the City Manager to pursue a new airport proposal between the City of Austin and the U.S. Government. The motion, seconded by Councilmember Goodman, carried by the following vote:

**Ayes:** Councilmember Mullen, Mayor McClellan, Councilmembers  
Deuser, Duncan, Goodman  
**Noes:** None  
**Absent:** Councilmember Urdy, Mayor Pro Tem Trevino

### MEDICAL PROGRAM FOR MUNICIPAL JAIL

Councilmember Mullen moved that the Council adopt a resolution approving the following medical program (Option III) provided by MHMR for the Municipal Jail:

**OPTION III:** A package program provided by MHMR. This option provides a general physician at 33.3% of his time to serve as medical director and to serve as supervisor and consultant to the nursing staff. This option also provides a psychiatrist at 33.3% of his time to furnish psychiatric evaluations and act as consultant to the general physician and nursing staff.

General Physician III (33.3% of time)	-	\$20,724.93
Psychiatrist III (33.3% of time)	-	21,423.11
Five Nurse III 5 x \$21,723.66	-	<u>108,618.30</u>
Total cost		\$150,766.34

The motion, seconded by Councilmember Goodman, carried by the following vote:

**Ayes:** Councilmember Mullen, Mayor McClellan, Councilmembers Deuser, Duncan, Goodman  
**Noes:** None  
**Absent:** Councilmember Urdy, Mayor Pro Tem Trevino

### PUBLIC HEARING SET

Councilmember Mullen moved that the Council set a public hearing on an appeal from Ms. Susan Carlman on a waterway development permit for Stony Creek Apartments for September 10, 1981 at 7:00 p.m. (Permit Application No. 81-04-3605) The motion, seconded by Councilmember Goodman, carried by the following vote:

**Ayes:** Councilmember Mullen, Mayor McClellan, Councilmembers Deuser, Duncan, Goodman  
**Noes:** None  
**Absent:** Councilmember Urdy, Mayor Pro Tem Trevino

## PURPA HEARINGS

Councilmember Mullen moved that the Council approve the retention of Dr. Eugene Coyle to provide expert economic testimony in PURPA hearings as requested by Don Butler, Public Counsel for City of Austin PURPA hearings. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmember Mullen, Mayor McClellan, Councilmembers Deuser, Duncan, Goodman

Noes: None

Absent: Councilmember Urdy, Mayor Pro Tem Trevino

## NORTHEASE FIRE STATION PROJECT

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING THE 1980-1985 CAPITAL IMPROVEMENTS PROGRAM BUDGET BY TRANSFERRING \$30,000 FROM THE SOUTHWEST FIRE STATION PROJECT TO THE NORTHEAST FIRE STATION PROJECT NO. 26; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilmember Mullen moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor McClellan, Councilmembers Deuser, Duncan, Goodman, Mullen

Noes: None

Absent: Councilmember Urdy, Mayor Pro Tem Trevino

The Mayor announced that the ordinance had been finally passed.

## ZONING ORDINANCE AMENDMENT

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 801113-L, ZONING CASE NO. C14-79-217, ENACTED BY THE CITY COUNCIL ON NOVEMBER 13, 1980, BY CORRECTING THE LEGAL DESCRIPTION OF TRACT 4 OF THE PROPERTY ZONED BY SAID ORDINANCE; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

Councilmember Mullen moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor McClellan, Councilmembers Deuser, Duncan, Goodman, Mullen

Noes: None

Absent: Councilmember Urdy, Mayor Pro Tem Trevino

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING SUBSECTIONS (a), (b) AND (c) OF SECTION 21-42 OF THE AUSTIN CITY CODE OF 1967, MAKING CERTAIN DELETIONS AND ADDITIONS TO SAID SUBSECTIONS, THEREBY DECLARING THE MAXIMUM PRIMA FACIE SPEED LIMITS UPON CERTAIN STREETS WITHIN THE CORPORATE LIMITS OF THE CITY OF AUSTIN, PURSUANT TO AND IN ACCORDANCE WITH THE PROVISIONS OF THE "UNIFORM ACT REGULATING TRAFFIC ON HIGHWAYS" (VERNON'S ANN. CIV. ST., ART. 6701d); REPEALING ALL ORDINANCES IN CONFLICT WITH THIS ORDINANCE; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilmember Mullen moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor McClellan, Councilmembers Deuser, Duncan, Goodman,  
Mullen

Noes: None

Absent: Councilmember Urdy, Mayor Pro Tem Trevino

The Mayor announced that the ordinance had been finally passed.

Speed zones were modified as follows:

**Section 21-42**

Deletion: Sub-section a - 35 mph.

<u>ON</u>	<u>FROM</u>	<u>TO</u>
S. Lamar Boulevard	Treadwell Street	W. Riverside Drive
N. Lamar Boulevard	260' south of W. 5th St.	W. 30th Street
Northland Drive	Balcones Drive	Shoal Creek Boulevard

Addition: Sub-section a - 35 mph.

N. Lamar Boulevard	W. 30th Street	832' North of Riverside Dr.
S. Lamar Boulevard	832' N of Riverside Dr.	66' south of W. Gibson St.
Northland Drive	Shoal Creek Blvd.	32' west of Highland Hills Drive

Deletion: Sub-section b - 40 mph.

N. Lamar Boulevard	260' South of W. 5th St.	West Riverside Drive
S. Lamar Boulevard	Treadwell Street	200' South of Barton Skyway

Addition: Sub-section b - 40 mph.

RM 2222 - Spur 69	32' West of Highland Hills Drive	West City Limits St. 421+ 94' (West of Dry Creek Drive)
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Deletion: Sub-section c - 45 mph.

S. Lamar Boulevard	200' South of Barton Skyway	West Ben White Boulevard
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Addition: Sub-section c - 45 mph.

N. MoPac Boulevard (Loop 1) East Service Road	1135' South of Anderson Lane (mile point 9.444)	U.S. 183 Interchange (mile point 8.276)
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N. MoPac Boulevard (Loop 1) West Service	North Hills Drive (mile point 10.254)	U.S. 183 Interchange (mile point 8.055)
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S. Lamar Boulevard	66' South of W. Gibson Street	West Ben White Boulevard
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#### ZONING ORDINANCE

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

THE WEST 34 FEET OF LOT 38 AND THE EAST 36 FEET OF LOT 39, OUTLOT 39, DIVISION D, WOOLDRIDGE RESUBDIVISION, FROM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "B" RESIDENCE, SECOND HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Betty W. Phillips, C14-81-081)

Councilmember Mullen moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor McClellan, Councilmembers Deuser, Duncan, Goodman,  
Mullen

Noes: None

Absent: Councilmember Urdy, Mayor Pro Tem Trevino

The Mayor announced that the ordinance had been finally passed.

#### CONGRATULATIONS FOR MR. DAVIDSON

Mayor McClellan congratulated Mr. Dan Davidson, City Manager, on his new position. He is resigning as City Manager of Austin, effective August 31, 1981.

(At this point, Councilmember Urdy entered the Council Chamber at 3:30 p.m.)

## FIRE AND LIFE SAFETY REPORT

Mr. Guymon Phillips, Assistant City Manager, presented the City Manager Report on Fire and Life Safety. (COPY ON FILE IN CITY CLERK'S OFFICE) The report concerns the safety of high rise buildings and in February of 1981 the City's Building Inspection and Fire Departments presented a joint report to the Council, which made the following recommendations:

1. Eliminate compartmentation as an alternative to sprinkler systems in all new high rise construction.
2. Adopt a retroactive smoke detector ordinance to bring all existing buildings up to current code standards.
3. Require all buildings over 75' in height to install sprinkler systems within a three year period.

The Council authorized the formation of a Citizen's Advisory Review Committee to obtain the opinion of a cross-section of effected parties. The following reflect the final recommendations adopted unanimously by the Fire and Safety Life Committee:

1. Eliminate compartmentation as an alternative to sprinklers in all new high rise construction. This requires that all new buildings over 75 feet in height be equipped with an approved sprinkler system.
2. Require the installation of smoke detectors in all Group R-1 and R-3 occupancies in conformance with the Uniform Building Code Standard Number 43-6. Group R-1 occupancies include apartment houses, hotels, motels and other places of overnight occupancy. It is recommended that the installation period not exceed three calendar years from the date of adoption of the ordinance.

Group R-3 occupancies include one and two family residential units. It is recommended that the installation be completed within one calendar year from the date of adoption of this ordinance. A further stipulation is also made in that no certificate of occupancy be issued following remodeling, repairs or other structural changes unless a smoke detector has been installed.

3. Require the retroactive installation of Fire and Life Safety equipment in all existing Group B, Division 2 occupancy (offices) and all Group R, Division 1 occupancy (apartment houses, hotels, motels) which have floors located more than 75 feet above the lowest level of Fire Department vehicle access.

Building owners will be given one year from the date of adoption of the ordinance to develop plans for approval by City building officials and a total of three years for implementation of all provisions except for standby power and lighting requirements.

Councilmember Duncan asked if putting in sprinkler systems based on square footage rather than height had been discussed. Mr. Phillips said, no. Councilmember Mullen said he has some real problems with that one because "the whole idea of this was to go someplace where we don't normally go to protect people and there may be some 15,000 square foot buildings where that would be necessary but I think the Committee needs to look at this very seriously before they do it. It may increase the cost a great deal in some cases. I would prefer to leave that item out and consider it as an amendment to this ordinance later on if we desire to do it, but not hold up the whole ordinance just for that one item."

Councilmember Deuser questioned the compulsory need for smoke detectors. He said that would be an imposition on the public. Mr. Phillips told him the highest amount of fires (74%) in Austin are residential and the cost of smoke detectors are minimal. Mr. Lonnie Davis, Director, Building Inspection, said the smoke detectors are required when repairs or remodeling exceeds \$1,000. Chief Kirkham said the Fire Department recommends them.

Mr. Phillips said there will be an agenda item next week to set a public hearing.

#### YOUTH SOCCER WEEK

Mayor McClellan read a proclamation designating the week of August 3-9, 1981 as Youth Soccer Week in Austin. Jesse Garza accepted the proclamation with his thanks and appreciation.

#### PUBLIC HEARING - MUD ORDINANCE TO ENCOMPASS ALL POLITICAL SUBDIVISIONS

Mayor McClellan opened the public hearing, scheduled for 3:30 p.m. to consider amending the Municipal Utility District Ordinance to encompass all political subdivisions created by authority of the Texas Water Code.

Bill Bulloch, Director of Water and Wastewater, addressed Council by saying, "The Council requested that staff look at some specific proposals that would give Council a mechanism on a systematic basis review request for consent on water districts, fresh water supply districts, and municipal utility districts. What we have given you is a standard mechanism for review and consent to those creation agreements for water supply and wastewater mechanisms inside the City's extraterritorial jurisdiction (ETJ). Without going through the details, the concept we have laid out for Council review is the fact water districts are traditionally used for low density rural type supply mechanisms and municipal utility districts (MUD) are more in line for the need for urban type activities and urban type services. We think that is the mode the Council ought to be in as they review the specific request for consent through this proposed ordinance. The key, as you look at this review, is exhibit "A" which details the allowable costs that the Council would be considering under the Ordinance. What we tried to do is make the proposals compatible with the

Comprehensive Plan as adopted by the City of Austin and also to start considering the intent of the Water District legislation. You will note that the water district allowables are 50% of what is contained on Exhibit "A" and those viables are very low.

"I think the Council should consider, as it reviews this, the fact that there is going to be in the next 6 to 12 months a number of specific developments coming forward in Growth Management Area 5 to the west.

"We are also aware there is the possibility for those developments to implement their water supply sources through private water supply corporations or privately financed public water supply corporations. We think the Council should look very closely at the allowables in Growth Management Area 5 for MUD's and those allowables may need to be increased so that we are in a position to encourage municipal utility districts so that mechanism for implementation of water treatment plants and water transmission mains is bonded and that debt retired through the MUD surcharge as allowed under State law and we would like you to consider that and discuss it before you enact or discuss enacting this proposed ordinance.

"Specifically, I think the staff is recommending that you look at increasing the allowables in Growth Management Area 5 for water facilities and for water approach mains. We will be happy to discuss at what level that should be. We want to make sure that if a MUD is created in Area 5, since we do not have the capacity to extend our system in that area, that those water plants are built to the quality of the City and we encourage good engineering practice, appropriate sizing so we can have a good system so if Council chooses to annex that area they are annexing something they can be assured can be operated by the utility in the future. We recommend you consider increasing those two allowables to a higher rate.....water treatment plants up to 100% realizing the relationship and encouraging MUD's as opposed to private water supply corporations and on approach mains up to 60 to 70 to 100% also, and I will be happy to discuss that with you."

STUART HENRY, representing himself and Bert Hooper, discussed the consequences of the policy and expressed concern about the City of Austin consent.

Councilmembers Goodman and Mullen both said they would rather see a MUD applicant rather than a WCID (Water Control and Improvement District) applicant. Mr. Albert DeLaRosa said he agrees with Mr. Henry that there is not a clear authority.

#### Motion

Councilmember Goodman moved that the Council close the public hearing, and bring the matter back on an Agenda sometime in the future. The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Mayor McClellan, Councilmembers Deuser, Duncan, Goodman,  
Mullen, Urdy

Noes: None

Absent: Mayor Pro Tem Trevino

## EXECUTIVE SESSION

Mayor McClellan announced that Council will convene in a closed or executive session authorized by Section 2, Paragraphs (e), (f) and (g) of Article 6252-17, Texas Revised Civil Statutes Annotated; and after such closed or executive session, any final action, decision or vote with regard to any matter considered in the closed or executive session will be made in open session, should such action, decision or vote be necessary.

## RECESS

Council recessed its meeting for executive session at 4:05 p.m. and resumed its recessed meeting at 5:05 p.m.

## ZONING HEARINGS

Mayor McClellan announced Council would hear zoning cases scheduled for 4:00 p.m. Pursuant to published notice thereof, the following zoning cases were publicly heard:

HEADWAY TEXAS, INC.	1713-1805 Rutherford	From "GR" General Retail
By W. M. Faust	1605-1709 Old Cameron	1st Height and Area
C14r-81-101	Road	To "DL" Light Industrial
		1st Height and Area
		RECOMMENDED by the Planning
		Commission

Councilmember Mullen moved that the Council grant "DL" Light Industrial, 1st Height and Area District, as recommended by the Planning Commission. The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy,  
Mayor McClellan  
Noes: None  
Absent: Mayor Pro Tem Trevino

The Mayor announced that the change had been granted to "DL" Light Industrial, 1st Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

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BRENDA BELL, ROBERT  
DANIEL AND RICHARD  
ROSS  
C14-81-104

1219, 1202, 1209  
Castle Hill

From "B" Residence  
1st Height and Area  
To "A" Residence  
1st Height and Area  
RECOMMENDED by the Planning  
Commission

Councilmember Mullen moved that the Council grant "A" Residence, 1st Height and Area District, as recommended by the Planning Commission. The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy,  
Mayor McClellan

Noes: None

Absent: Mayor Pro Tem Trevino

The Mayor announced that the change had been granted to "A" Residence, 1st Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

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ROBERT L. LANFORD,  
ET AL  
C14r-81-107

6407-6513 Bolm Road  
800-034 Ed Bluestein  
Boulevard

From Interim "A" Residence  
1st Height and Area  
To "D" Industrial  
1st Height and Area  
RECOMMENDED by the Planning  
Commission

Councilmember Mullen moved that the Council grant "D" Industrial, 1st Height and Area District, as recommended by the Planning Commission. The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy,  
Mayor McClellan

Noes: None

Absent: Mayor Pro Tem Trevino

The Mayor announced that the change had been granted to "D" Industrial, 1st Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

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THOMAS P. FRANCIS  
By John F. Harvey  
C14-79-247

2007-2009 Bert Avenue

Amendment to Restrictive  
Covenant  
RECOMMENDED by the Planning  
Commission

Councilmember Mullen moved that the Council grant amendment to Restrictive Covenant, as recommended by the Planning Commission. The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy,  
Mayor McClellan  
Noes: None  
Absent: Mayor Pro Tem Trevino

The Mayor announced that the Restrictive Covenant had been amended, and the City Attorney was instructed to draw the necessary instrument to cover.

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SMITH-HAGE BUILDING      325 East 6th Street  
By City of Austin  
C14h-81-005

From "C-2" Commercial  
4th Height and Area  
To "C-2-H" Commercial-Historic  
4th Height and Area  
RECOMMENDED by the Planning  
Commission

Councilmember Mullen moved that the Council grant "C-2-H" Commercial, 4th Height and Area District, as recommended by the Planning Commission. The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy,  
Mayor McClellan  
Noes: None  
Absent: Mayor Pro Tem Trevino

The Mayor announced that the change had been granted to "C-2-H" Commercial, 4th Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

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JACOB LARMOUR HOUSE      1711 Rio Grande Street  
By Walter Vacker  
C14h-81-007

From "O" Office  
1st Height and Area  
To "O-H" Office-Historic  
1st Height and Area  
RECOMMENDED by the Planning  
Commission

Councilmember Mullen moved that the Council grant "O-H" Office-Historic, 1st Height and Area District, as recommended by the Planning Commission. The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy,  
Mayor McClellan  
Noes: None  
Absent: Mayor Pro Tem Trevino

The Mayor announced that the change had been granted to "O-H" Office-Historic, 1st Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

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UVAG REALTY  
PARTNERSHIP  
C14-81-053

3200-3220 and 3300-3310  
North Lamar  
1000-1012 and 1001-1013  
West 33rd  
1011-1015 West 32nd  
3200-3212 Bailey  
1201-1203 and 1207-1209  
West 33rd  
1307-1315 West 34th  
1221 West 33rd  
3203-3211 and 3301-3305  
Shoal Creek

Amendment to Restrictive  
Covenant - Approval of  
Revised Site Plan  
RECOMMENDED by the Planning  
Commission

Councilmember Mullen moved that the Council grant amendment to Restrictive Covenant - Approval of Revised Site Plan, as recommended by the Planning Commission. The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Councilmembers Dueser, Duncan, Goodman, Mullen, Urdy,  
Mayor McClellan

Noes: None

Absent: Mayor Pro Tem Trevino

The Mayor announced that the Restrictive Covenant has been amended, and the City Attorney was instructed to draw the necessary instrument to cover.

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WILLIAM C. PETRI  
AND CHARLES H.  
PETRI, JR.  
By Gerald Griesbach  
C14-81-093

5100-5210 East 7th  
Street and 700  
Shady Lane

From "A" Residence  
1st Height and Area  
To "DL" Light Industrial  
1st Height and Area

RECOMMENDED by the Planning Commission  
"DL" Light Industrial, subject to site  
plan approval by Planning Commission and  
City Council prior to issuance of building  
permits.

Councilmember Mullen moved that the Council grant "DL" Light Industrial, 1st Height and Area District, subject to conditions, as recommended by the Planning Commission. The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy,  
Mayor McClellan

Noes: None

Absent: Mayor Pro Tem Trevino

The Mayor announced that the change had been granted to "DL" Light Industrial, 1st Height and Area District, subject to conditions, and the ordinance would be passed as an emergency measure.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

APPROXIMATELY 3.7 ACRES OF LAND, LOCALLY KNOWN AS 5100-5210 EAST 7TH STREET AND 700 SHADY LANE, FROM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "DL" LIGHT INDUSTRIAL, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY. (William C. Petri and Charles H. Petri, Jr., C14-81-093)

Councilmember Mullen moved that the Council close the public hearing, waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy,  
Mayor McClellan

Noes: None

Absent: Mayor Pro Tem Trevino

The Mayor announced that the ordinance had been finally passed as an emergency measure.

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MID-TEXAS BROAD-  
CASTING, INC.  
By Wm. Terry Bray  
C14-81-102

1904-1906 Pearl Street

From "B" Residence  
2nd Height and Area  
To "O-1" Office  
1st Height and Area

RECOMMENDED "O-1" by the Planning Commission subject to letter of agreement between applicant and neighborhood, and staff recommendation.

Councilmember Mullen moved that the Council grant "O-1" Office, 1st Height and Area District, subject to conditions, as recommended by the Planning Commission. The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy,  
Mayor McClellan

Noes: None

Absent: Mayor Pro Tem Trevino

The Mayor announced that the change had been granted to "O-1" Office, 1st Height and Area District, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

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PANTHER LANE  
ASSOCIATES  
By Edgar James  
C14-81-100

2308-2324 Panther Trail  
3505-3715 South Lamar

From "LR" Local Retail  
1st Height and Area  
To "LR" Local Retail  
2nd Height and Area

RECOMMENDED by the Planning Commission  
"LR" Local Retail subject to 80-foot  
setback from proposed right-of-way on  
Lamar and dedication of five feet of  
right-of-way on Panther, as offered by  
applicant; and tied to site plan.

Councilmember Mullen moved that the Council grant "LR" Local Retail, 2nd Height and Area District, subject to conditions as recommended by the Planning Commission. The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy,  
Mayor McClellan

Noes: None

Absent: Mayor Pro Tem Trevino

The Mayor announced that the change had been granted to "LR" Local Retail, 2nd Height and Area District, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

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GREAT HILLS-A  
By Mountain Shadow  
Village Neighborhood  
Association  
C14-71-003

Steck Avenue at  
Adirondack Trail

Site Plan Amendment to Planned  
Unit Development (PUD)  
Recommended by the Planning  
Commission

Councilmember Mullen moved that the Council approve the site plan amendment to the Planned Unit Development, as recommended by the Planning Commission. The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Councilmembers Goodman, Mullen, Urdy, Mayor McClellan,  
Councilmembers Deuser, Duncan

Noes: None

Absent: Mayor Pro Tem Trevino

The Mayor announced that the site plan amendment to the Planned Unit Development had been approved, and the City Attorney was instructed to draw the necessary instrument to cover.

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BILL MILBURN,  
INC.  
By John Meinrath  
C14-81-095

3500 block Duval Road  
3800-3900 block Adelphi  
Lane

From "LR" Local Retail  
1st Height and Area  
To "GR" General Retail  
1st Height and Area  
RECOMMENDED by the Planning  
Commission

Councilmember Deuser moved that the Council grant "GR" General Retail, 1st Height and Area District, as recommended by the Planning Commission. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Mullen, Urdy, Mayor McClellan,  
Councilmembers Deuser, Duncan, Goodman  
Noes: None  
Absent: Mayor Pro Tem Trevino

The Mayor announced that the change had been granted to "GR" General Retail, 1st Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

(Council interrupted its zoning hearings to consider the following:)

#### CITY MANAGER RECRUITMENT

Councilmember Mullen moved that the Council adopt a resolution approving the recruitment profile prepared by PARA, INC. for the position of City Manager, adding fiscal management skill. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmember Urdy, Mayor McClellan, Councilmembers  
Deuser, Duncan, Goodman, Mullen  
Noes: None  
Absent: Mayor Pro Tem Trevino

Prior to the vote, MR. PAUL REAUME of PARA, Inc., discussed the draft he handed to Council which included remarks made by citizens at a meeting (not a Council Meeting) to discuss qualifications of a new City Manager. Councilmember Mullen said he wanted to include fiscal management skill in the profile criteria. Mr. Reaume said he will keep Council informed concerning the recruitment process and suggests the field be narrowed to 12 candidates.

## NEIGHBORHOOD HOUSING SERVICE PROGRAMS

Mr. Badgett, Assistant City Manager, introduced to the Council Mr. Nichols, who presented Neighborhood Housing Service Programs to the Council. He said he is a representative of Neighborhood Reinvestment Corporation. He said they are a non-profit organization assisting cities with neighborhood revitalization strategies by addressing specific target areas, have code inspection and a staff follow-up. The key to their program is community involvement. NHS works as a catalyst and the city they are working for puts up seed money. NHS works with a city in a partnership role.

Councilmember Urdy asked if Robinson Hill is the appropriate type of thing for them to get involved in. Mr. Nichols said NHS would compliment ARA.

(Council resumed their zoning hearings.)

WILSON DEVELOPMENT  
CORPORATION  
By Joe Lucas  
C14-81-103

106-202 Masterson Pass

From Interim "AA" Residence  
1st Height and Area  
To "A" Residence  
1st Height and Area  
RECOMMENDED by the Planning  
Commission

Mr. Lillie reviewed the application by use of slides.

JOE LUCAS appeared before Council and said the zoning request is for seven acres out of 80 acres and this zoning is requested because the area is isolated. There is only one street so there will be no increase of traffic to the existing neighborhood. Duplexes will be the \$50,000 to \$55,000 range.

Councilmember Deuser said some citizens are concerned with breaking the continuity of single family dwellings between North Lamar and IH 35. Mr. Lucas said it is a small street and there should be no impact.

Councilmember Deuser moved that the Council grant "A" Residence, 1st Height and Area District, as recommended by the Planning Commission. The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Mayor McClellan, Councilmembers Deuser, Duncan, Goodman,  
Mullen, Urdy

Noes: None

Absent: Mayor Pro Tem Trevino

The Mayor announced that the change had been granted to "A" Residence, 1st Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

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BEN EARL CALLOWAY  
By Phil Mockford  
C14-81-099

404 Kenniston Drive

From "A" Residence  
1st Height and Area  
To "B" Residence  
1st Height and Area

RECOMMENDED by the Planning Commission  
"B" Residence, subject to applicant  
volunteering deed restriction limiting  
project to four units and dedication  
of five feet of right-of-way.

Mr. Lillie reviewed the application by use of slides.

MR. PHIL MOCKFORD, representing the applicant, said the site faces the Fox Theatre parking lot and overlaps apartment use. On the west the single family houses are rented. There has been no opposition from the neighborhood and this is the only use to which it can be put.

Councilmember Deuser commented on the zoning being too lenient. Mayor McClellan said Council should realize the reality of this piece of property.

Councilmember Mullen moved that the Council grant "B" Residence, 1st Height and Area District, subject to conditions, as recommended by the Planning Commission. The motion, seconded by Councilmember Urdy, carried by the following vote:

Ayes: Councilmembers Duncan, Goodman, Mullen, Urdy, Mayor  
McClellan

Noes: Councilmember Deuser

Absent: Mayor Pro Tem Trevino

The Mayor announced that the change had been granted to "B" Residence, 1st Height and Area District, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

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JOHN E. HATHAWAY  
By Naomi Luttrell  
and Art Brown  
C14-81-083

1900-1906 West Koenig  
Lane

From "A" Residence  
1st Height and Area  
To "O-1" Office  
1st Height and Area

RECOMMENDED by the Planning Commission  
"O-1" Office, subject to site plan  
approval and compliance with Koenig  
Lane guidelines.

Mr. Lillie reviewed the application by use of slides. Councilmember Deuser commented on the recommended Koenig Lane guidelines and said they are not yet set. Mr. Lillie told him it would be appropriate, if Council approves the zoning, to hold the ordinance until guidelines are recommended to Council by the Commission.

JOHN HATHAWAY, applicant, said his property is right in the middle with strip zoning to the east, and the rest in the area is "LR" Local Retail.

Councilmember Deuser moved that the Council grant "O-1" Office, 1st Height and Area District, subject to site plan approval with dedication of 10 feet of right-of-way on Koenig Lane and 6 foot fence in the rear, also deleting compliance with Koenig Lane guideline. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy,  
Mayor McClellan  
Noes: None  
Absent: Mayor Pro Tem Trevino

The Mayor announced that the change had been granted to "O-1" Office, 1st Height and Area District, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

ALLANDALE BAPTIST  
CHURCH  
By Landa Keen  
C14-81-091

1513 West Koenig Lane

From "A" Residence  
1st Height and Area  
To "O-1" Office  
1st Height and Area

RECOMMENDED by the Planning Commission  
"O-1" Office, subject to site plan  
submitted and compliance with Koenig  
Lane guidelines.

Mr. Lillie reviewed the application with use of slides.

MICHAEL MERRILL appeared before Council and said he wants to purchase the property for use as an interior design studio. He will have a buffer, will not remove any trees, and will have parking in the rear. Councilmember Deuser said this would go against the policy of not changing the character of the neighborhood. Mr. Merrill stated he has letters of support from the neighborhood and said there are several "O" Office and "LR" Local Retail zonings on Koenig Lane. Councilmember Mullen said he thinks it would be a good idea to change the whole block and not drag out the change.

#### Motion

Councilmember Mullen moved that the Council approve as recommended. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmembers Duncan, Goodman, Mullen, Urdy, Mayor McClellan  
Noes: Councilmember Deuser  
Absent: Mayor Pro Tem Trevino

#### Motion to Reconsider

Councilmember Goodman moved that the Council reconsider. The motion, seconded by Mayor McClellan, carried unanimously.

Motion

Councilmember Mullen moved that the Council grant "O-1" Office, 1st Height and Area District, as recommended by the Planning Commission, subject to site plan approval with dedication of right-of-way, and delete compliance with Koenig Lane guidelines. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Mullen, Urdy, Mayor McClellan, Councilmembers  
Duncan, Goodman  
Noes: Councilmember Deuser  
Absent: Mayor Pro Tem Trevino

The Mayor announced that the change had been granted to "O-1" Office, 1st Height and Area District, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

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ARNIE D. AZIOS  
AND JOHN  
HAIRSTON  
By Mike Killinger  
C14-81-090

1505 Koenig Lane

From "A" Residence  
1st Height and Area  
To "O" Office  
1st Height and Area  
NOT Recommended by the Planning  
Commission

Mr. Lillie reviewed the application by use of slides. MR. HAROLD COIT, attorney for the applicant, appeared and said he had not been present at the second Zoning Commission hearing, because he was out of town and his client was ill. This was in answer to Council's question concerning representation at the hearing.

Councilmember Deuser moved that the Council grant "O-1" Office, 1st Height and Area District, subject to right-of-way as recommended and approval of site plan. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmember Urdy, Mayor McClellan, Councilmembers  
Deuser, Duncan, Goodman, Mullen  
Noes: None  
Absent: Mayor Pro Tem Trevino

The Mayor announced that the change had been granted to "O-1" Office, 1st Height and Area District, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

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A & M GROUP  
By Ed Babson  
C14-81-111

13113 Burnet Road

From Interim "AA" Residence  
1st Height and Area  
To "C" Commercial  
1st Height and Area  
NO RECOMMENDATION by the  
Planning Commission

Mr. Lillie reviewed the application by use of slides.

MR. ED BABSON addressed Council and told them the site would be used for a family steak house. He said they are willing to limit the curb cuts to one. Councilmember Mullen stated one of the key issues is driveways and if the applicant agrees to one curb cut "and for us to recognize that this is because of an existing non-conforming use and unusual circumstances and that the Council is not going to be doing this as a matter of policy I will make a motion to go with the zoning."

#### Motion

Councilmember Mullen moved that the Council grant "GR" General Retail, 1st Height and Area District, for the building and "O" Office, 1st Height and Area District, on the remainder, with one curb cut to be approved by the Urban Transportation Department. The motion was seconded by Councilmember Goodman.

Councilmember Duncan said, "I think the record should clearly state that the reason we are doing this is because of pre-existing use and it should not be taken as a precedent."

#### Substitute Motion

Councilmember Deuser made a substitute motion to grant "GR" General Retail for the existing building, and the surrounding parking lot needed to serve that site specific need "O" Office, and the remainder of the 1.97 acres in City limits remain unzoned. Councilmember Goodman seconded the motion.

#### Friendly Amendment Made and Withdrawn

Councilmember Goodman offered a friendly amendment to zone the surrounding area "AA" Residence, and immediately withdrew the amendment.

#### Roll Call on Substitute Motion - Failed

Ayes: Councilmembers Deuser, Goodman  
Noes: Councilmembers Duncan, Mullen, Urdy, Mayor McClellan  
Absent: Mayor Pro Tem Trevino

#### Friendly Amendment to Main Motion Not Accepted

Councilmember Deuser offered a friendly amendment to zone a 5 foot strip of land in the rear "A" Residence. Councilmember Mullen did not accept the friendly amendment.

#### Roll Call on Original Motion

Ayes: Mayor McClellan, Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy  
Noes: None  
Absent: Mayor Pro Tem Trevino

The Mayor announced that the change had been granted to "GR" General Retail, 1st Height and Area District, for the building and "O" Office, 1st Height and Area District, on the remainder, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

Zoning Cases Postponed

RICHARD DAVIS  
C14-81-098

4412 Switch Willow  
4334 Duval Road

From Interim "AA" Residence  
1st Height and Area  
To "BB" Residence  
1st Height and Area  
NOT Recommended by the  
Planning Commission

There was a request by the applicant to amend the application to "A-2" Condominium.

Councilmember Deuser moved that the Council postpone this zoning case until the next zoning cycle. The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy,  
Mayor McClellan  
Noes: None  
Absent: Mayor Pro Tem Trevino

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RAYMOND T. STEWART  
By Robert Hageman  
C14-81-105

2013 Bluebonnet

From "A" Residence  
1st Height and Area  
To "A-2" Condominium  
1st Height and Area

Councilmember Deuser moved that the Council postpone this zoning case to August 6, 1981 at 4:30 p.m. The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy,  
Mayor McClellan  
Noes: None  
Absent: Mayor Pro Tem Trevino

Zoning Case Withdrawn

TAYLOR AND  
BRASHEAR  
By Ezell Investments  
C14-81-096

1205 West 49½ Street

From "A" Residence  
1st Height and Area  
To "O" Office  
1st Height and Area  
NOT Recommended by the  
Planning Commission

Councilmember Mullen moved that the Council approve the request for withdrawal of the zoning case. The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy,  
Mayor McClellan  
Noes: None  
Absent: Mayor Pro Tem Trevino

Zoning Denied

MARGARET AILEEN  
WEST  
By Becky Beaver  
C14-81-109

1101 West Oltorf  
2400 South 6th Street

From "A" Residence  
1st Height and Area  
To "O" Office  
1st Height and Area  
NOT Recommended by the  
Planning Commission

Mr. Lillie noted there was a valid petition on file.

Councilmember Deuser moved that the Council uphold the recommendation of the Planning Commission and DENY the zoning change. The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Councilmembers Duncan, Goodman, Mullen, Urdy, Mayor  
McClellan, Councilmember Deuser

Noes: None

Absent: Mayor Pro Tem Trevino

The Mayor announced that the zoning case had been DENIED.

## RECESS

Council recessed its meeting at 7:25 p.m. and resumed its recessed meeting at 7:45 p.m.

## PUBLIC HEARING - STREET VACATION

Mayor McClellan opened the continued public hearing, scheduled for 7:00 p.m. on vacation of West 10th Street Alley, 300 block, as requested by University Savings, owner.

JOE RIDDELL spoke against the street vacation, but asked for a bike lane if the vacation is granted.

LARRY LANGLEY, speaking for University Savings, said he had checked the \$55,000 price, and it is fair market value. He said the alley as it presently is, conflicts with traffic.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE VACATING AND PERPETUALLY CLOSING THAT CERTAIN PORTION OF WEST 10TH STREET ALLEY, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; RETAINING AN EASEMENT IN THE CITY FOR PUBLIC UTILITY PURPOSES; SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

Councilmember Mullen moved that the Council close the public hearing, waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmembers Duncan, Goodman, Mullen, Urdy, Mayor  
McClellan

Noes: None

Abstain: Councilmember Deuser

Absent: Mayor Pro Tem Trevino

The Mayor announced that the ordinance had been finally passed.

#### RENEWABLE ENERGY RESOURCES COMMISSION

LEON BARISCH, Chairman, Renewable Energy Resources Commission, presented the Renewable Energy Development Plan, called the "RED plan." (COPY IS ON FILE IN CITY CLERK'S OFFICE) Councilmember Duncan commented that, in his opinion, the future renewable resources will be based on this plan.

#### COMMUNITY EDUCATION CONSORTIUM

MS. HELEN HILL, Community Education Consortium, discussed Community Education - On the Move in Austin. (COPY IS ON FILE IN CITY CLERK'S OFFICE.)

#### PUBLIC HEARING - USE OF GENERAL REVENUE SHARING FUNDS

Mayor McClellan opened the public hearing scheduled for 7:30 p.m. on Proposed Use of 1981-82 General Revenue Sharing Funds.

Ms. Lee Thomson, Director of Research and Budget, stated the hearing is on the proposed use of \$5,103,417 in estimated General Revenue Sharing funds in 1981-82 and is the first of four required public participation activities. There must be another opportunity for the public to express their views concerning the use of General Revenue Sharing Funds during the scheduled budgeted hearings. After the budget is adopted, the budget decisions must be made available for public inspection.

SAM ROGERS, 1941 Gaston Place, appeared before Council to file a request for more security provided at the senior citizen's residence. He discussed the theft and destruction of property which they must contend with. Councilmember Urdy asked if he had appealed to the Housing Authority. Mr. Rogers said, yes, many times. Mayor McClellan said this will be reported to the Police Department.

DIANNE BEST, President of Board of Directors of Old Bakery and Emporium Guild, Inc., referred to project study Council had before them. Ms. Best said they are asking for renovation funds because the building is in a deplorable state.

MR. WILLIE KOCUREK appealed for funds for renovation of the Old Bakery. He said 960 crafts people over the age of 55 display their wares at the Old Bakery. They are asking for \$175,000.

Motion

Councilmember Mullen moved that the Council close the public hearing on proposed use of 1981-82 General Revenue Sharing Funds. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Duncan, Goodman, Mullen, Urdy, Mayor  
McClellan, Councilmember Deuser  
Noes: None  
Absent: Mayor Pro Tem Trevino

PUBLIC HEARING  
PROPOSED LAKE AUSTIN SHORELINE DEVELOPMENT REGULATION

Mayor McClellan opened the public hearing, scheduled for 8:00 p.m. on Proposed Lake Austin Shoreline Development Regulations.

KEN BUTLER, Ad Hoc Committee, discussed the proposed regulations.

SHANNON RATLIFF, representing the Baldwins, said the ordinance is harsh.

JIM EICHELBERGER asked to be exempted. He said he had no idea they were included until tonight.

WILL WILSON asked for a substantial amendment to the proposed regulations before they are adopted.

JOHN FINE, Sierra Club, thinks the ordinance is all right.

DR. JOHN MEINCRIEF finds difficulties with the variances and urges Council to explore them. Some short term gains would be long term losses.

CHARLES CLEVELAND, 34th and Monte Vista, told Council to be very considerate in their judgment.

JACKIE BLOCH, West Austin Neighborhood Group, supports the ordinance. She asked for clarification of boundaries. Mr. Jim Nias, Assistant City Attorney, did so.

STUART HENRY, representing several land owners, asked Council to apply this ordinance as drafted to subdivisions.

GARY BRADLEY, showed Council slides of his property, and asked Council not to take action tonight.

DAVID ARMBRUST, representing the Larson estate, asked Council to exempt the peninsula from the shoreline ordinance.

MILLIE DOUGLAS expressed concern because not all persons received notices and wondered how this could be accomplished. Discussion followed.

BETTY CLELAND said there are records of property owners in the County and City. She was told they are not identified by shoreline measurement.

PAT OTIS urged Council to consider passage of the original draft.

DAVE GUERRA is in favor of an ordinance but felt this one needs modifications.

SALLY SHIPMAN said the ordinance needs further study and a moratorium should be in existence.

Motion

Councilmember Goodman moved that the Council continue the public hearing on the proposed Lake Austin Shoreline Development Regulations until August 20, 1981 at 6:00 p.m. The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Councilmembers Goodman, Mullen, Urdy, Mayor McClellan,  
Councilmembers Deuser, Duncan

Noes: None

Absent: Mayor Pro Tem Trevino

**SOUTHWEST QUADRANT TRANSPORTATION STUDY**

Mayor McClellan opened the public hearing scheduled for 8:30 p.m. on Austin Southwest Quadrant Transportation Study. Dr. Benson, Director of Urban Transportation, introduced Mr. Steve Lockwood, who presented the report by use of slides.

MR. BILL CARSON, President, Horseshoe Bend Neighborhood Association, said he concurs with the study.

JOHN GIESELMAN, Barton Hills Drive, asked about the possibility of a reversible lane on Lamar and how to make improvements.

FRANK HORSFAL said reversible lanes are no good.

Motion

Councilmember Deuser moved that the Council close the public hearing. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Mullen, Urdy, Mayor McClellan, Councilmembers  
Deuser, Duncan, Goodman

Noes: None

Absent: Mayor Pro Tem Trevino

**INSPECTION FEES DISCUSSED**

MRS. CHARLES B. CARPENTER appeared before Council to discuss excessive inspection fee for water and wastewater (one fire hydrant) for Hemlock Hills Subdivision.

MR. CARL E. NEWSOME, Engineer, Carl E. Newsome & Associates, also discussed excessive fee for inspecting one fire hydrant to be installed in Hemlock Hills Subdivision. He said the fee of \$1600 to inspect the fire hydrant is excessive.

Councilmember Deuser said the City must do that which is legal. Councilmember Duncan referred to a memo from Mr. Bulloch, Water and Wastewater Director, which read as follows:

"On July 30, 1981, the City Council will be asked to reduce or eliminate the Water and Wastewater Inspection Fee for Hemlock Hills Subdivision (C8s-81-69). This tract totals 20.02 acres to be subdivided into four lots.

"As a part of the subdivision process, Water and Wastewater staff identified the need for system improvements consisting of one fire hydrant along Blue Bluff Lane. The owner has agreed to install this fire hydrant, at a cost of approximately \$2,500.

"The associated inspection fee is assessed on the basis of subdivision acreage only, in accordance with Ordinance Number 800925-JJ. At a rate of \$200 per acre, this subdivision would incur a fee of \$3,003.

"The subdivision inspection fee was initiated to recover the cost incurred by the Water and Wastewater Department in processing subdivision requests and inspecting the utility system installation. Total actual inspection cost for this subdivision is estimated at \$500 to \$750.

"The fee as originally proposed by the Utility and adopted by the City Council does not differentiate on the basis of complexity of system installation or size of tract.

"We would be happy to explore further breakdown of the fee structure for potential ordinance revision; however, the \$3,0003 fee assessed to this subdivision is consistent with the current ordinance structure."

The City Manager was asked to come back with alternatives.

**M.A.P. CITY vs. PRIVATE PLANS**

MR. C. W. BODE, JR., president elect, Capital Area Pharmaceutical Association, appeared before Council to discuss M.A.P. City vs. Private Plans. He said they are opposed to any plan that restricts freedom of choice of health care and that CAPA will lay out its plan next week.

**GROWTH POLICIES DISCUSSED**

MR. BILL RALLIS appeared before Council to discuss growth policies and to speak against the power of LCRA.

**CITIZEN DID NOT APPEAR**

MS. ROSEMARY COFFMAN, Zoning Chairperson, Hancock Neighborhood Association, had requested to appear before Council, but was not in the Council Chamber.

**BOULDIN CREEK NEIGHBORHOOD**

MR. NOEL LEVY, representing Bouldin Creek Neighborhood Association, appeared before Council to discuss problems of Bouldin Creek Neighborhood.

**FUND RAISER FOR UNITED CEREBRAL PALSY**

Councilmember Goodman moved that the Council approve the request of MS. DIANNE BISIG, executive director, United Cerebral Palsy of Texas, for permission to use Bartholomew Park for a fund raiser for the United Cerebral Palsy organization. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmember Urdy, Mayor McClellan, Councilmembers  
Deuser, Goodman, Mullen

Noes: None

Absent: Mayor Pro Tem Trevino

Not in Council Chamber when roll was called: Councilmember Duncan

**BARTON CREEK SQUARE MALL**

MR. JOE RIDDELL appeared to request Council to pass a resolution directing the City staff not to issue a temporary or final certificate of occupancy for any building at the Barton Creek Square Mall before completion of the pollution-abatement ponds for stormwater runoff in accordance with approved plan. He asked the Council to use their leverage to get the ponds complete.

Mr. Lonnie Davis, Director, Building Inspection, said the ponds will be complete by September 1 for Pond 2 and October 1 for Pond 1. He said there is no document which states all drainage must be complete prior to opening of a store. Therefore, temporary certificates can be issued if no hazards are present. Councilmember Duncan said he thought the facilities should be finished

in 60 days and the temporary certificate taken away if they are not done with the drainage. Councilmember Goodman asked for report on this next Thursday and whether or not there is any legal recourse if the stores do not comply. He also asked for a report from engineering on the quality of construction of the detention ponds at this stage.

#### AGENDA ITEM TO BE BROUGHT BACK

Approval of contract resolution will be brought back on August 6, 1981 for the following:

FISK TELEPHONE SYSTEMS, INC.  
5501 North Lamar, Suite A-101  
Austin, Texas

- Acquisition of new Police  
Department Telecommunication System  
Lease Purchase Agreement  
Total cost over 10 years -  
\$567,440.00

Councilmembers questioned Mr. Bennett concerning the bid. John Hinkle of Fisk Telephone Systems discussed their system.

#### Motion - Died for Lack of Second

Councilmember Mullen moved that the Council approve Fisk. There was no second to the motion.

SHERRILL FREEMAN, Communication Corporation of America, appeared and asked Council to review the system further.

KEN ADAMS, Southwestern Bell Telephone, discussed putting all systems on one with Southwestern Bell. After further discussion, it was decided to put this contract under further consideration and delay one week.

#### AGENDA ITEM TO BE BROUGHT BACK

A resolution to consider appointing a representative of the City of Austin to the "Advisory Planning Council" for the construction of the State of Texas Human Services Center, will be brought back on the August 6, 1981 Agenda.

#### CETA SERVICE DELIVERY

Councilmember Goodman moved that the Council adopt a resolution for alternative recommendations and select an appropriate option regarding the CETA service delivery system for Austin/Travis County for FY 1982: instruct staff to submit a draft plan to DOL that includes the following: The City of Austin in fiscal year 81-82 will continue to operate the Capital Area Manpower Consortium as required by existing contract, and the City will directly operate a centralized job factory program. All other urban programs shall be sub-contracted in accordance with the normal RFP (Request for Proposal) process. Two additional positions in the Human Services Department are authorized to be

included in the department's manpower budget for administrative purposes solely contingent upon the department's securing funds through either the consortium bonuses or the Title IV money and administrative funds available to rural contractors would rise from 14.8% to 15.7% as administrative funds become available through the consortium bonus or Title IV. The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy,  
Mayor McClellan  
Noes: None  
Absent: Mayor Pro Tem Trevino

#### PUBLIC HEARING SET

Councilmember Mullen moved that the Council set a public hearing to consider annexation of 2,649 acres of land, to wit:

1. I.H. 35 Southeast corridor
2. Onion Creek Development
3. Creedmoor
4. 500 foot corridor on F.M. 1327 to connect I.H. 35 corridor

for Monday, August 17, 1981 at 4:00 p.m. The motion, seconded by Mayor McClellan, carried by a unanimous vote to approve.

#### ELECTRIC RATE ORDINANCE

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 810611-F BY CHANGING PART 6 TO MAKE CHARGES AND RATES EFFECTIVE ON ALL BILLS RENDERED ON OR AFTER OCTOBER 1, 1981; REPEALING ALL ORDINANCES IN CONFLICT THEREWITH; PROVIDING AN EFFECTIVE DATE AND SUSPENDING THE RULE REQUIRING ORDINANCES TO BE READ ON THREE SEPARATE DAYS.

Councilmember Deuser moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Duncan, Goodman, Mullen, Urdy, Deuser  
Noes: None  
Abstain: Mayor McClellan  
Absent: Mayor Pro Tem Trevino

The Mayor announced that the ordinance had been finally passed.

## AIR CONDITIONING AT MUNICIPAL AUDITORIUM

Mr. Al Eldridge presented the report on Repair of Air Conditioning Compressor at Municipal Auditorium. He said the work will be finished and it will be running in one week at a cost of \$15,000 to \$20,000.

## PUBLIC HEARING TO BE SET

Council had before them a resolution to amend the Metropolitan Roadway Plan regarding designation for Barton Skyway. Next week's agenda will include an item to set a public hearing on the Roadway Plan.

## ADJOURNMENT

Council adjourned its meeting at 12:30 a.m., July 31, 1981.

APPROVED:

*Carole Keeton Miller*  
\_\_\_\_\_  
Mayor

ATTEST:

*Grace Monroe*  
\_\_\_\_\_  
City Clerk